

LAW OFFICES OF
LOUIS E. GITOMER, LLC.

LOUIS E. GITOMER
Lou@lgraillaw.com

MELANIE B. YASBIN
Melanie@lgraillaw.com
410-296-2225

AUG 22 2011
600 BALTIMORE AVENUE, SUITE 301
TOWSON, MARYLAND 21204-4022
(410) 296-2250 • (202) 466-6532
FAX (410) 332-0885

August 22, 2011

Cynthia T. Brown
Chief of the Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423

Re: **Docket No. AB-55 (Sub-No. 717X), CSX Transportation, Inc.—Abandonment
Exemption—in Miami-Dade County, FL**

Dear Ms. Brown,

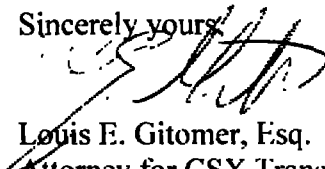
230 845

Enclosed are the original and 10 copies of a Verified Notice of Exemption for CSX Transportation, Inc. ("CSXT") to abandon an approximately 0.95-mile rail line on its Southern Region, Jacksonville Division, Miami Subdivision, between milepost SX 1036.8 and milepost SX 1037.5, at the end of the track, including approximately 1,300 feet of connection track beginning 150 feet from the point of switch near milepost SXH 37.0, in Miami, Miami-Dade County, FL. Also enclosed are a check for the filing fee of \$3,600, and a computer diskette containing the Notice in WORD and pdf format.

Please time and date stamp the additional copy of this letter and Notice and return it in the enclosed prepaid envelope.

Thank you for your assistance. If you have any questions, please contact me.

Sincerely yours,


Louis E. Gitomer, Esq.
Attorney for CSX Transportation, Inc.

Enclosure

FILED
AUG 22 2011
SURFACE
TRANSPORTATION BOARD

FEE RECEIVED
AUG 22 2011
SURFACE
TRANSPORTATION BOARD

Aug 22 2011

Pl. 100 Board

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-55 (Sub-No. 717X)

CSX TRANSPORTATION, INC.—ABANDONMENT EXEMPTION—
IN MIAMI-DADE COUNTY, FL

VERIFIED NOTICE OF EXEMPTION

Kathryn Barney, Esq.
CSX Transportation, Inc.
500 Water Street
Jacksonville, FL 32202
(904) 359-1305

Louis E. Gitomer, Esq.
Melanie B. Yasbin, Esq.
Law Offices of Louis E. Gitomer, LLC
600 Baltimore Avenue, Suite 301
Towson, MD 21204
(410) 296-2250
Lou@lgraillaw.com

Attorneys for: CSX TRANSPORTATION,
INC.

Dated: August 22, 2011

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-55 (Sub-No. 717X)

CSX TRANSPORTATION, INC.—ABANDONMENT EXEMPTION—
IN MIAMI-DADE COUNTY, FL

VERIFIED NOTICE OF EXEMPTION

CSX Transportation, Inc. ("CSXT") files this Verified Notice of Exemption pursuant to the class exemption at 49 C.F.R. § 1152.50 for CSXT to abandon an approximately 0.95-mile rail line on its Southern Region, Jacksonville Division, Miami Subdivision, between milepost SX 1036.8 and milepost SX 1037.5, at the end of the track, including approximately 1,300 feet of connection track beginning 150 feet from the point of switch near milepost SXH 37.0, in Miami, Miami-Dade County, FL (the "Line"). CSXT previously sold the right-of-way and track and materials to the Florida Department of Transportation ("FDOT") and retained a permanent freight easement in order to continue to provide exclusive rail freight service on the Line. No local rail traffic has moved over the Line during the past two years. Any overhead traffic on the Line can be and has been rerouted.

Based on information in the possession of CSXT, the Line does not contain federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

1. Proposed consummation date. The proposed consummation date is October 11, 2011.

2. Certification required by 49 C.F.R. § 1152.50(b). *See* Exhibit A.

3. Information required by 49 C.F.R. § 1152.22(a)(1) through (4), (7), and (8), and (e)(4).

(a) General.

(1) Exact name of applicant. CSX Transportation, Inc.

(2) Whether applicant is a common carrier by railroad subject to 49 U.S.C.

Subtitle IV, Chapter 105. CSXT is a common carrier by railroad subject to 49 U.S.C. Subtitle IV, Chapter 105.

(3) Relief sought. CSXT seeks to use the class exemption at 49 C.F.R. § 1152.50 to abandon an approximately 0.95-mile rail line on its Southern Region, Jacksonville Division, Miami Subdivision, between milepost SX 1036.8 and milepost SX 1037.5, at the end of the track, including approximately 1,300 feet of connection track beginning 150 feet from the point of switch near milepost SXH 37.0, in Miami, Miami-Dade County, FL. There are no stations on the Line.

(4) Map. *See* Exhibit B.

(7) Name, title, and address of representative of applicant to whom correspondence should be sent. Louis E. Gitomer, Law Offices of Louis E. Gitomer, LLC, 600 Baltimore Avenue, Suite 301, Towson, MD 21204, (410) 296-2250, Lou@lgraillaw.com.

(8) List of all United States Postal Service ZIP Codes that the line proposed for discontinuance traverses. The Line traverses U.S. Postal ZIP Code 33142.

(e) Rural and community impact.

(4) Statement of whether the properties proposed to be discontinued are appropriate for use for other public purposes, including roads and highways, other forms of mass transportation, conservation, energy production or transmission, or recreation. If the applicant is

aware of any restriction on the title to the property, including any reversionary interest, which would affect the transfer of title or the use of property for other than rail purposes, this shall be disclosed.

CSXT has been advised that FDOT, the owner of the underlying right-of-way and track and materials, intends to use the Line to construct the East Concourse project as part of the last phase of the Miami Intermodal Center ("MIC") Program. The East Concourse project is a continuation of the West Concourse project, currently under construction, and anticipated to be completed in April 2012. The East Concourse project consists of the demolition of the existing Miami Airport TriRail station, construction of two new train platforms and construction of four new tracks, serving Tri-Rail and Amtrak, two corresponding operation buildings, one building serving an interstate bus company, one general purpose building, and one bicycle storage building intended to be used by bicycle patrons. This area of the project is referred to as the Ground Transportation Center. At grade parking for 411 vehicles is also provided.

The project also includes an elevated pedestrian corridor providing connection from the existing MIC people mover station and Rental Car Center with the two at grade rail platforms and the Ground Transportation Center. The elevated pedestrian corridor provides two escalators, two elevators, and two stairs connecting to each of the rail platforms, as well as providing two elevators, two escalators and stairs connecting to the Ground Transportation Center.

4. The level of labor protection. The interests of any railroad employees who may be adversely affected by the proposed abandonment will be adequately protected by the labor protective conditions in *Oregon Short Line R. Co. –Abandonment–Goshen*, 360 I.C.C. 91 (1979).

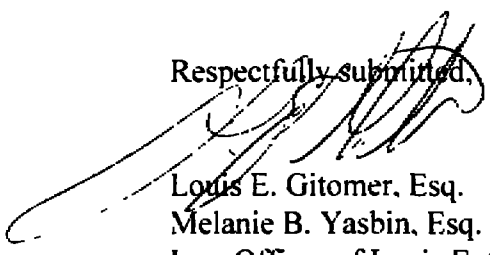
5. Certification. Certificates of compliance with the notice requirements of 49 C.F.R. §§ 1152.50(d)(1) and 1105.11 are attached as Exhibit C.

6. Environmental Report. *See* Exhibit D.

7. Historic Report. *See* Exhibit E.

Kathryn Barney, Esq.
CSX Transportation, Inc.
500 Water Street
Jacksonville, FL 32202
(904) 359-1305

Respectfully submitted,



Louis E. Gitomer, Esq.
Melanie B. Yasbin, Esq.
Law Offices of Louis E. Gitomer
600 Baltimore Avenue, Suite 301
Towson, MD 21204
(410) 296-2250
Lou@lgraillaw.com

Attorneys for: CSX TRANSPORTATION,
INC.

Dated: August 22, 2011

EXHIBIT A-VERIFICATION AND CERTIFICATION

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SS.

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I, Ellen M. Preslar, being duly sworn, depose and state that I am Manager Regulatory Costing for Network Rationalization of CSX Transportation, Inc. ("CSXT"); that I am authorized to make this verification; and that I have read the foregoing Notice of Exemption and know the facts asserted therein are true and accurate as stated, to the best of my knowledge, information, and belief.

I hereby certify that no local freight traffic has moved over CSXT's 0.95-mile rail line on its Southern Region, Jacksonville Division, Miami Subdivision from Railroad Milepost SX 1036.8 to Railroad Milepost SX 1037.5, including approximately 1300 feet of connection track beginning 150 feet from the point of switch near Railroad Milepost SXH 37.0, in Miami, Miami-Dade County, Florida, for at least two years prior to the date hereof. Since this is not a through line, no overhead freight traffic has operated; therefore, none needs to be rerouted over other lines. Further, no formal complaint filed by a user of rail service on the line (or a State or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board or any U.S. District Court or has been decided in favor of a complainant within the two-year period. The foregoing certification is made on behalf of CSXT by the undersigned after due and careful investigation of the matters herein certified and based on the best of the knowledge, information, and belief of the undersigned.

Ellen M. Preslar
Ellen M. Preslar

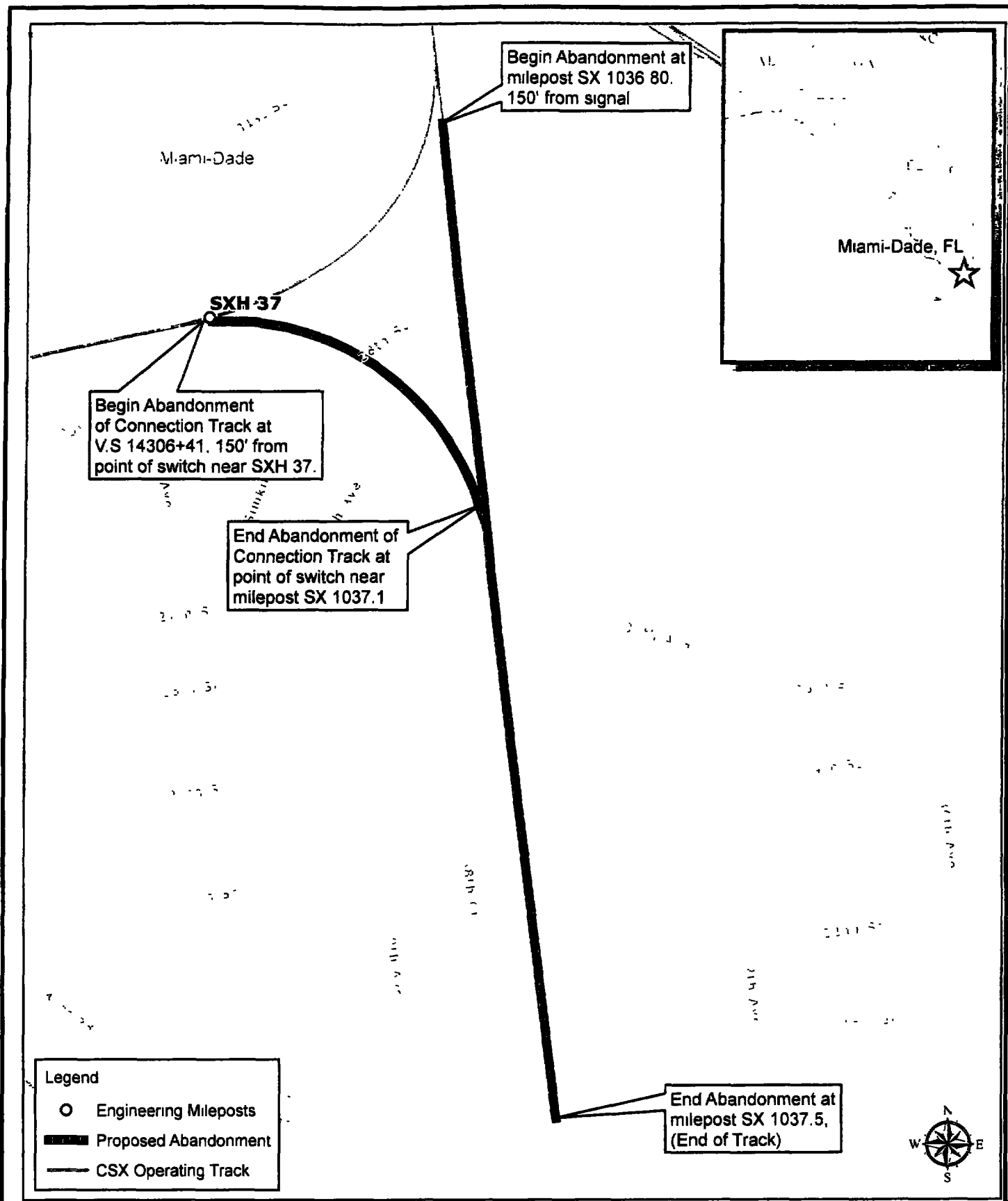
SUBSCRIBED AND SWORN TO before me this 17th day of August 2011.

My Commission Expires: 4/9/2018

Notary Public



EXHIBIT B-MAP



**CSX Transportation, Inc. Proposed Abandonment
Jacksonville Division - Miami Subdivision
STB Docket No. AB 55 (Sub-No 717X)**

Milepost SX 1036 80 to End of Track at Milepost SX 1037 5,
approximately 1,300' of connection track a Distance of 0.95 +/- Miles
Miami, Miami-Dade County, Florida



Creation Date June 25 2011

EXHIBIT C-CERTIFICATES OF SERVICE AND PUBLICATION

Pursuant to 49 C.F.R. § 1152.50 (d) (1), the undersigned hereby certifies that notice of the proposed abandonment in Docket No. AB-55 (Sub-No. 717X) was mailed via first class mail on August 9, 2011, to the following parties:

State Public Service Commission

Fred Wise, Manager
Rail Office
Florida Department of Transportation
605 Suwannee Street, MS-25
Tallahassee, FL 32399-0450

Military Traffic Management Command

Headquarters
Military Surface Deployment and Distribution Command
Transportation Engineering Agency
ATTN: SDTE-SA (Railroads for National Defense)
1 Soldier Way, Building 1900W
Scott AFB, 62225

National Park Service

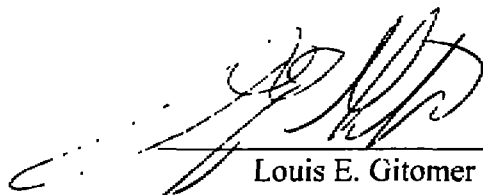
Mr. Rick Potts
Chief, Conservation and Outdoor Recreation Division
Rivers, Trails and Conservation Assistance Program National Park Service
1849 C Street, N.W. (Org Code 2220)
Washington, DC 20240

National Park Service

U.S. Department of Interior
National Park Service
Land Resources Division
1849 C Street, N.W.
Washington, DC 20240

U.S. Department of Agriculture


U.S. Department of Agriculture
Chief of the Forest Service
1400 Independence Avenue, S.W.
Washington, DC 20250-0003



Louis E. Gitomer
August 22, 2011

CERTIFICATE OF PUBLICATION

The undersigned hereby certifies that notice of the proposed abandonment in Docket No. AB-55 (Sub-No. 717X) in the following form was advertised on August 18, 2011 in The Miami Herald, a newspaper of general circulation in Miami-Dade County, FL as required by 49 C.F.R. § 1105.7(c) and .12.



Louis E. Gitomer
August 22, 2011

Notice of Intent to Abandon

CSX Transportation, Inc. ("CSXT") gives notice that on or about August 22, 2011, it intends to file with the Surface Transportation Board, Washington, DC 20423, a notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments permitting the abandonment of an approximately 0.95-mile rail line on its Southern Region, Jacksonville Division, Miami Subdivision, between milepost SX 1036.8 and milepost SX 1037.5, at the end of the track, including approximately 1,300 feet of connection track beginning 150 feet from the point of switch near milepost SXH 37.0, which traverses through United States Postal Service ZIP Code 33142 in Miami, Miami-Dade County, FL. The proceeding will be docketed as No. AB-55 (Sub-No. 717X).

The Board's Office of Environmental Analysis (OEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the OEA, Surface Transportation Board, Washington, DC 20423 or by calling that office at (202) 245-0295.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Section of Administration, Office of Proceedings, 395 E Street, SW, Washington, DC 20423-0001 [See 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on applicant's representative [See 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Public Assistance, Governmental Affairs, and Compliance at (202) 245-0238. Copies of any comments or requests for conditions should be served on the applicant's representative: Louis E. Gitomer, 600 Baltimore Avenue, Suite 301, Towson, MD 21204, (410)296-2250, Lou@lgrailaw.com.

EXHIBIT D– ENVIRONMENTAL REPORT

ENVIRONMENTAL REPORT

CSX TRANSPORTATION, INC. Miami, Miami-Dade County, Florida Docket AB-55 (Sub-No. 717X)

The following information is provided in accordance with 49 C.F.R. Section 1105.7:

(1) PROPOSED ACTION AND ALTERNATIVES

Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable, detailed map and drawings clearly delineating the project.

CSX Transportation, Inc. (CSXT) proposes to abandon its freight easement from Railroad Milepost SX 1036.8 to the end of track at approximate Railroad Milepost SX 1037.5, including approximately 1,300 feet of connection track beginning 150 feet from the point of switch near Railroad Milepost SXH 37.0, a total distance of approximately 0.95 miles in Miami, Miami-Dade County, Florida.

The above referenced 0.95-mile line has not generated any originating or terminating freight traffic in over two (2) years.

The purpose for this freight easement abandonment is to permit CSXT to avoid the maintenance and rehabilitation expenses on the line. CSXT has an Operating and Management Agreement (OMAPA) with the Florida Department of Transportation (FDOT) for their commuter rail service (Tri-Rail). Tri-Rail is improving their commuter rail system, and CSXT desires relief of its obligations to maintain and dispatch this passenger-only segment. Tri-Rail construction plans will not interfere with freight service inasmuch as CSXT has not served any freight customers on this segment for many years. This proposed abandonment will allow CSXT Passenger Services to amend OMAPA to discontinue maintenance and dispatching of this portion of Tri-Rail.

Consistent with CSXT's rights under its retained freight easement, please be advised that FDOT intends that the track and signals that CSXT currently is authorized to use, but has not used in over

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two years, between Railroad Milepost SX 1036.80 and Railroad Milepost SX 1037.5 are to be removed. This entails removal of the two existing tracks and ties from NW 25th south to end of main track and the deactivation of signals south of the north leg of the wye from the Miami Subdivision to the Homestead Branch. Signal work consists of removal of two wayside signals and foundations at 25th Street, removal of signal house for crossing, crossing gates and foundations, and removal of two dwarf signals at the end of the line. There are no bridges. FDOT estimates that removal can be accomplished in approximately one week (5 days). When CSXT has made the appropriate arrangements to disconnect all live connections, FDOT is prepared to remove the track and signals.

FDOT is constructing the East Concourse project as part of the last phase of the Miami Intermodal Center ("MIC") Program. The East Concourse project is a continuation of the West Concourse project, currently under construction, and anticipated to be completed in April 2012. The East Concourse project consists of the demolition of the existing Miami Airport Tri-Rail station, construction of two new train platforms and construction of four new tracks, serving Tri-Rail and Amtrak, two corresponding operation buildings, one building serving an interstate bus company, one general purpose building, and one bicycle storage building intended to be used by bicycle patrons. This area of the project is referred to as the Ground Transportation Center. At grade parking for 411 vehicles is also provided.

The project also includes an elevated pedestrian corridor providing connection from the existing MIC people mover station and Rental Car Center with the two at grade rail platforms and the Ground Transportation Center. The elevated pedestrian corridor provides two escalators, two elevators, and two stairs connecting to each of the rail platforms, as well as providing two elevators, two escalators and stairs connecting to the Ground Transportation Center.

Immediately following track and signal removal, FDOT's contractor will demolish the existing Tri-Rail Passenger Station facility. This will include removal of ballast, grading, etc. to ready for construction of new tracks and station in early 2012. The scope of work also involves compacted sub-ballast, track under drain, retaining/gravity walls, ground cover, NW 25th Street drainage/roadway improvement, French drain, culvert, drainage structures.

A map which delineates the proposed project is attached. (See Attachment 1).

Further attached is a distribution list of all parties who have received a copy of this report. (See Attachment 2)

(2) TRANSPORTATION SYSTEM

Describe the effects of the proposed action on regional or local transportation systems and patterns. Estimate the amount of traffic (passenger or freight) that will be diverted to other transportation systems or modes as a result of the proposed action.

There will be no substantial effect on existing regional or local transportation systems or patterns. CSXT's abandonment and release of freight easement will not adversely impact passenger rail service of Tri-Rail or Amtrak nor will it cause diversion of passenger traffic. The Tri-Rail Improvements will enhance passenger service. There is no freight traffic on this line, therefore, freight service will not be affected by this construction.

(3) LAND USE

- (i) Based on consultation with local and/or regional planning agencies and/or a review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.**

Applicant has not received a response to its July 28, 2011, inquiry to the Miami-Dade County Planning & Zoning Office or the City of Miami Planning Department requesting information regarding this statement. (See Attachments 3 and 4)

Based on the fact that the line has not generated any freight traffic in over two (2) years, Applicant believes the proposed action is not inconsistent with local land use plans. The property will continue to be used for passenger rail service.

- (ii) **Based on consultation with the U. S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land.**

Applicant has not received a response to its July, 28, 2011 inquiry to the U.S. Department of Agriculture, Natural Resources Conservation Service in Florida City, FL requesting information regarding this statement. (See Attachment 5)

While some prime farmland may exist in the vicinity of this project, Applicant feels the simple removal of a freight easement should not have an adverse impact. The property will continue to be used for passenger rail service.

- (iii) **If the action affects land or water uses within a designated coastal zone, include the coastal zone information required by 1105.9.**

Applicant has not received a response to its July 28, 2011 inquiry to the Coastal and Environmental Protection Clearing Houser Office in Tallahassee, FL requesting information regarding this statement. (See Attachment 6)

The entire state of Florida is included within the coastal zone. However, Applicant feels that the simple removal of a freight easement should not have an adverse impact on any coastal zone, land or water uses. The property will continue to be used for passenger rail service.

- (iv) **If the proposed action is an abandonment, state whether or not the right of way is suitable for alternative public use under 49 U.S.C. 10906 and explain why.**

The properties are owned by FDOT. Only CSXT's freight easement is subject to abandonment. The right of way is currently in public use for passenger rail service with potential passenger rail service enhancements planned post –abandonment

(4) ENERGY

- (i) Describe the effect of the proposed action on transportation of energy resources.**

The proposed action will have no effect on the movement and/or recovery of energy resources.

- (ii) Describe the effect of the proposed action on recyclable commodities.**

The proposed action will have no effect on the movement and/or recovery of recyclable commodities.

- (iii) State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why.**

The proposed action will not result in an increase or decrease in overall energy efficiency.

- (iv) If the proposed action will cause diversions from rail to motor carriage of more than: (A) 1,000 rail carloads a year; or (B) an average of 50 rail carloads per mile per year for any part of the affected line, quantify the resulting net change in energy consumption and show the data and methodology used to arrive at the figure given.**

There will be no diversion of freight rail traffic to motor carriage.

(5) AIR

- (i) If the proposed action will result in either: (A) an increase in rail traffic of at least 100% (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of rail line affected by the proposal, or (B) an increase in rail yard activity of at least 100% (measured by carload activity), or (C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions.**

The above thresholds will not be exceeded.

- (ii) If the proposed action affects a class I or non-attainment area under the Clean Air Act; and will it result in either: (A) an increase in rail traffic of a least 50% (measured in gross ton miles annually) or an increase of at least three trains a day on**

any segment of rail line, or (B) an increase in rail yard activity of a least 20% (measured by carload activity), or (C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by the State Implementation Plan.

The above thresholds will not be exceeded.

- (iii) If transportation of ozone depleting materials (such as nitrogen oxide and Freon) is contemplated, identify: the materials and quantity, the frequency of service; safety practices (including any speed restriction); the applicant's safety record (to the extent available) on derailments, accidents and spills; contingency plans to deal with accidental spills; and the likelihood of an accidental release of ozone depleting materials in the event of a collision or derailment.

Not applicable.

(6) NOISE

If any of the thresholds identified in item (5)(i) of this section are surpassed, state whether the proposed action will cause: (i) an incremental increase in noise levels of three decibels Ldn or more, or (ii) an increase to a noise level of 65 decibels Ldn or greater. If so, identify sensitive receptors (e.g., schools, libraries, hospitals, residences, retirement communities, and nursing homes) in the project area, and quantify the noise increase for these receptors if the thresholds are surpassed.

The above thresholds will not be exceeded.

(7) SAFETY

- (i) Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad grade crossings).

Applicant believes that the freight easement abandonment will result in improvement to public safety by the addition of improved passenger rail service facilities.

- (ii) If hazardous materials are expected to be transported, identify: the materials and quantity; the frequency of service; whether chemicals are being transported that, if mixed, could react to form more hazardous compounds; safety practices (including

any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and hazardous spills; the contingency plans to deal with accidental spills; and the likelihood of an accidental release of hazardous materials.

Not applicable.

- (iii) **If there are any known hazardous waste sites or sites where there have been known hazardous material spills on the right of way, identify the location of those sites and the types of hazardous materials involved.**

The rail owner, FDOT, has completed a work plan and cost analysis which is attached hereto. (See attachment 7) Additional environmental reporting by FDOT is anticipated upon removal of the existing track structure.

(8) BIOLOGICAL RESOURCES

- (i) **Based on consultation with the U. S. Fish and Wildlife Service, state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects.**

Applicant has not received a response to its July 28, 2011 inquiry to the U.S. Fish and Wildlife Service in Southeast Region, Jacksonville, FL, requesting information regarding this statement. (See Attachment 8)

Based upon Applicant's intention to abandon our freight easement , we do not believe that any federally endangered or threatened species will be negatively affected or critical habitats modified if the line is abandoned.

- (ii) **State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.**

Applicant has not received a response to its July 28, 2011 inquiry to the National Park Service, Southeast Regional Office in Atlanta, GA requesting information regarding this statement. (See Attachment 9)

Based upon Applicant's review of the area, the line is not within any wildlife sanctuaries or refuges, National or State parks or forests.

(9) WATER

- (i) Based on consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies.**

Applicant has not received a response to its July 28, 2011 inquiry to the State EPA in Tallahassee, FL requesting information regarding this statement. (See Attachment 10)

Applicant does not contemplate any action known to be inconsistent with federal, state and/or local water quality standards. Any necessary permits or applications will be obtained as well as compliance with conditions or procedures required by regulatory agencies.

- (ii) Based on consultation with the U. S. Army Corps of Engineers, state whether permits under Section 404 of the Clean Water Act (33 U.S.C. 1344) are required for the proposed action and whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.**

Applicant has not received a response to its July, 28, 2011 inquiry to the U.S. Army Corps of Engineers, Public Affairs Office in Mobile, AL requesting information regarding this statement. (See Attachment 11)

Applicant is not aware of any designated wetlands or 100-year flood plains within the proposed project.

Upon receiving abandonment authority of CSXT's freight easement, FDOT will pursue construction plans, which, will be accomplished by use of the right of way for access, along with existing public and private crossings, and no new access roads are contemplated. The crossties and/or other debris will be transported away from the rail line and will not be discarded along the right of way nor be placed or left in streams or wetlands, or along the banks of such waterways. Also, during track removal, appropriate measures will be implemented to prevent or control spills from fuels, lubricants or any other pollutant materials from entering any waterways. Based upon this course of action, Applicant does not believe a permit under Section 404 of the Clean Water Act will be required.

- (iii) State whether permits under Section 402 of the Clean Water**

Act (33 U.S.C. 1342) are required for the proposed action. (Applicants should contact the U. S. Environmental Protection Agency or the state environmental protection or equivalent agency if they are unsure whether such permits are required).

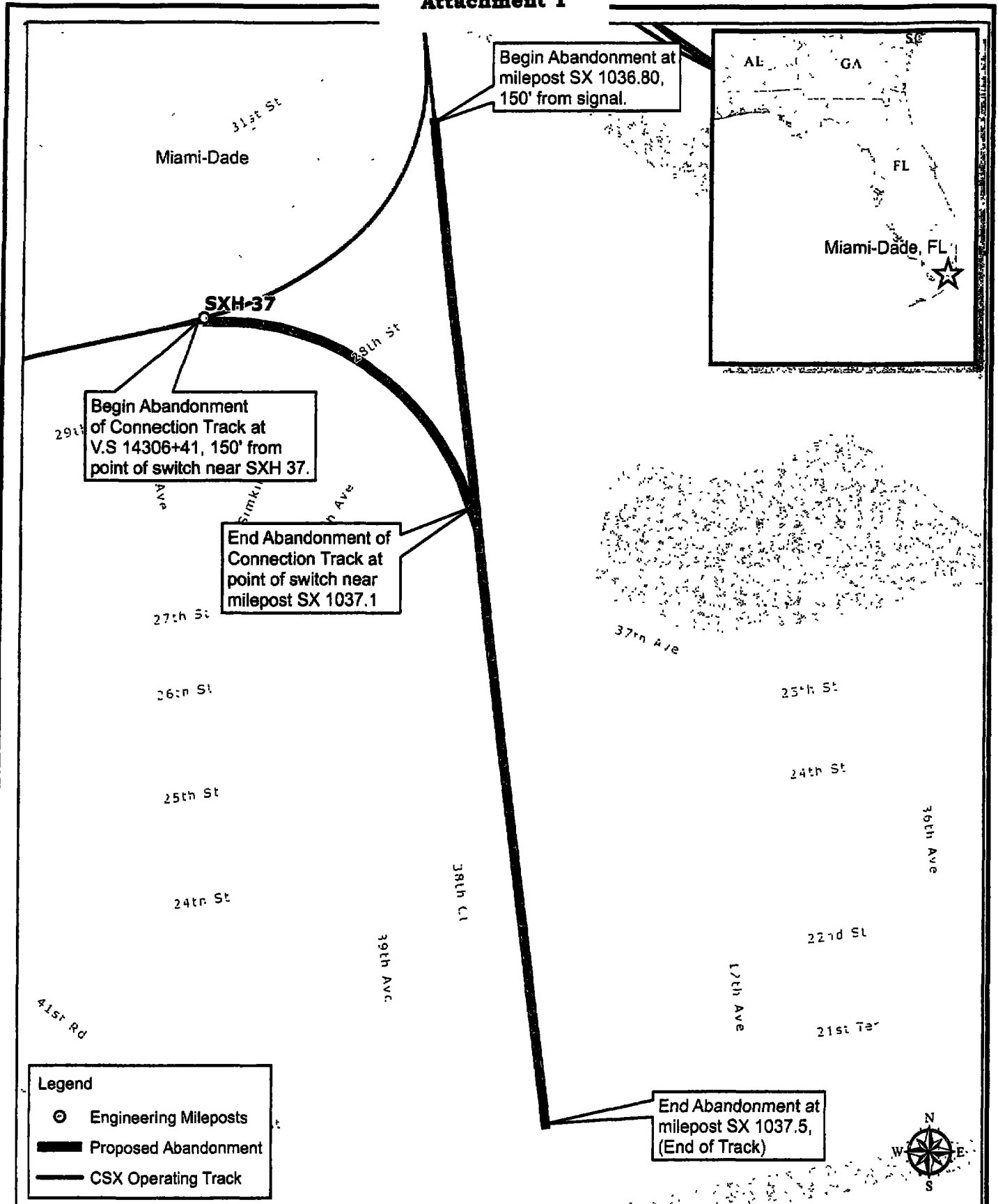
Applicant has not received a response to its July 28, 2011 inquiry to the U.S. Regional EPA Office Region 4, Atlanta, GA requesting information regarding this statement. (See Attachment 12)

10. MITIGATION

Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.

Applicant does not believe there will be any adverse environmental impacts in the project area as a result of this freight easement abandonment. However, Applicant will comply with reasonable State and Federal regulations and obtain any necessary permits required.

Attachment 1



CSX Transportation, Inc. Proposed Abandonment Jacksonville Division - Miami Subdivision STB Docket No. AB 55 (Sub-No 717X)

Milepost SX 1036.80 to End of Track at Milepost SX 1037.5,
approximately 1,300' of connection track a Distance of 0.95 +/- Miles
Miami, Miami-Dade County, Florida



Creation Date June 25, 2011

CSX Real Property, Inc.

CSXT Abandonment External Distribution List
Miami-Dade County, FL

SHPO
Florida Division of Historical Resources
Ms. Laura Kammerer
R.A. Gray Building
500 S. Bronough Street
Tallahassee, FL 32399-0250

Wildlife
U.S. Fish & Wildlife Service
Southeast Region
701 San Marco Blvd, Suite 7 West
Jacksonville, FL 32207-8196

National Geodetic Survey
Simon.Monroe@noaa.gov

U.S. Corps of Engineers
1400 Centre Park Blvd
West Palm Beach, FL 33401

Florida Department of Transportation
Rail Office
Mr. Fred Wise
Central Office Rail Contacts
FDOT
605 Suwannee Street, MS-25
Tallahassee, FL 32399-0450

Miami-Dade County Office of the Mayor
Mayor Carlos A. Gimenez
Stephen P. Clark Center
111 NW 1st Street
Miami, FL 33128

Coastal and Environmental
Florida Department of Environmental Protection
Clearing house Office
3900 Commonwealth Blvd M.S. 47
Tallahassee, FL 32399-3000

U.S. EPA
Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW
Atlanta GA 30303

Natural Park Service
Miami Office
18001 Old Cutler Road Suite 419
Palmetto, FL 33157

U.S. Department of Agriculture
Natural Resources Conservation Service
Att. Ms. Christine Coffin
1450 N. Drome Ave STE 102
Florida City, FL 33034-2400

Miami-Dade County Planning & Zoning
Stephen P. Clark Center
111 NW 1st Street, 11 Floor
Miami, FL 33128

City of Miami Planning Department
444 S.W. 2nd Avenue, 3rd Floor
Miami, FL 33130



800 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 279-3823
FAX: (904) 279-3802
E-Mail: Jo_Burroughs@csx.com

Jo Ann Burroughs
Manager Network Services

July 28, 2011

Miami-Dade County Planning & Zoning
Stephen P. Clark Center
111 NW 1st Street, 11 Floor
Miami, FL 33128

Dear Sir/Madam;

Please be advised that CSX Transportation, Inc. (CSXT) is considering to file with the Surface Transportation Board (STB) a Notice of Exemption seeking authority to abandon a portion of its rail line from railroad Milepost SX 1036.8 to the end of track at approximate Milepost SX 1037.5, including approximately 1,300 feet of connection track beginning 150 feet from the point of switch near Milepost SXH 37.0, a total distance of approximately 0.95 mile in Miami, Miami-Dade County, Florida. A map of the area is attached for your review.

This action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7(3) (i) require that CSXT develop a response to the following statement:

"Based on consultation with local and/or regional planning agencies and/or a review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies."

CSXT would appreciate your comments regarding current and future land use in relationship to the rail line.

As further information, CSXT will provide a preliminary environmental report in the coming weeks which will outline the scope of the proposed salvage activity and include any comments received from your office. This environmental report can be sent electronically by email or through the United States Postal Service (USPS). Please notify me, Jo_Burroughs@csx.com if you wish to receive the report electronically. If we do not receive notification, it will be mailed via USPS.

CSXT has an Operating and Management Agreement (OMAPA) with FDOT for the commuter rail service (Tri Rail). Tri Rail is improving their commuter rail system, and CSXT desires relief of its obligations to maintain and dispatch this passenger-only segment. Tri Rail construction plans will not interfere with freight service inasmuch as CSXT has not served any freight customers on this segment for many years. This proposed abandonment will allow CSXT Passenger Services to amend OMAPA to discontinue maintenance and dispatching of this portion of Tri Rail.

Further enclosed, please find a distribution list of all parties that have been copied of the proposed action.

Sincerely,

A handwritten signature in black ink, appearing to read "Jo Ann Burroughs", is written over the typed name.

Jo Ann Burroughs
Attachments



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Jacksonville, FL 32202
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Jo Ann Burroughs
Manager Network Services

July 28, 2011

City of Miami Planning Department
444 S.W. 2nd Avenue, 3rd Floor
Miami, FL 33130

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Jo Ann Burroughs
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Attachment 8



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Jacksonville, FL 32202
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Jo Ann Burroughs
Manager Network Services

July, 28, 2011

U.S. Department of Agriculture
Natural Resources Conservation Service
Att. Ms. Christine Coffin
1450 N. Drome Ave STE 102
Florida City, FL 33034-2400

Dear Ms. Coffin;

Please be advised that CSX Transportation, Inc. (CSXT) is considering to file with the Surface Transportation Board (STB) a Notice of Exemption seeking authority to abandon a portion of its rail line from railroad Milepost SX 1036.8 to the end of track at approximate Milepost SX 1037.5, including approximately 1,300 feet of connection track beginning 150 feet from the point of switch near Milepost SXH 37.0, a total distance of approximately 0.95 miles in Miami, Miami-Dade County, Florida. A map of the area is attached for your review.

This action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7 (9) (i) and (iii) require that CSXT develop a response to the following statements:

"Based on consultation with the U. S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land."

Please advise if any of the land contiguous to CSXT's line in the project area is classified as prime agriculture land.

As further information, CSXT will provide a preliminary environmental report in the coming weeks which will outline the scope of the proposed salvage activity and include any comments received from your office. This environmental report can be sent electronically by email or through the United States Postal Service (USPS). Please notify me, Jo_Burroughs@csx.com if you wish to receive the report electronically. If we do not receive notification, it will be mailed via USPS.

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Jo Ann Burroughs
Manager Network Services

July 28, 2011

Coastal and Environmental
Florida Dept of Environmental Protection
Clearing House Office
3900 Commonwealth Blvd M.S. 47
Tallahassee, FL 32399-

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This action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7 (9) (i) and (iii) require that CSXT develop a response to the following statements:

(i) "Based on consultation with State Water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies."

(iii) State whether permits under Section 402 of the Clean Water Act 33 U.S.C. 1342 are required for the proposed action."

There are no refueling or maintenance areas within the project area. The removal of CSXT's rail material will be accomplished by use of the right of way for access, along with existing public and private crossings, and no new access roads are contemplated. CSXT does not intend to disturb any of the underlying roadbeds and do not anticipate any dredging or use of fill in the removal of the track material. The crossties and/or other debris will be transported away from the rail line and will not be discarded along the right of way, nor be placed or left in streams or wetlands, or along the banks of such waterways. During track removal,



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Manager Network Services

appropriate measures will be implemented to prevent or control spills from fuels, lubricants or any other pollutant materials from entering any watercourses.

Based upon the above described actions, CSXT would appreciate receiving your concurrence with its position that the proposed project is consistent with applicable Federal, State and local water quality standards, and that no permits under Section 402 are required at this time.

As further information, CSXT will provide a preliminary environmental report in the coming weeks which will outline the scope of the proposed salvage activity (as stated above) and include any comments received from your office. This environmental report can be sent electronically by email or through the United States Postal Service (USPS). Please notify me, Jo_Burroughs@csx.com if you wish to receive the report electronically. If we do not receive notification, it will be mailed via USPS.

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Jo Ann Burroughs
Attachments



February 1, 2011

Mr. Mauricio A. Gomez
District Environmental Management Office, Room 6109
Florida Department of Transportation, District VI
1000 NW 111 Avenue
Miami, Florida 33172

Reference: Contamination Assessments and Remediation Services
Contract No. : BDL-07
Financial Project No.: 249943
County: Miami-Dade and Monroe

Subject: Work Plan and Cost Estimate: Unit Rate
MIC - Tri-Rail Solid Waste Removal Project
MIC TriRail Station
3797 NW 21st Street Miami, FL 33142
FM# 406800-1
County: Miami-Dade
LOA TBD

Dear Mr. Gomez:

Introduction

The Florida Department of Transportation (Department) requested that Shaw Environmental, Inc. (Shaw) prepare this work plan and cost estimate (WPCE) to perform services within the scope of the referenced contract. The Miami Intermodal Center (MIC) is currently under construction to provide access to multiple forms of transportation, including TriRail, Metrorail, motor vehicles and shuttle buses. This WPCE provides the cost to conduct solid waste removal and backfilling activities at the MIC TriRail Station.

Background

During the MIC Property Acquisition Program, the Department found buried solid waste beneath and in proximity of the MIC. Based on the location of the buried solid waste, it was later suspected to be the LeJeune Terminals Dump according to records procured by the Miami-Dade Department of Environmental Resources Management (DERM).

Project Start Up / Project Management

1. Prepare a site-specific Health and Safety Plan.
2. Develop and submit a waste profile sheet to the designated disposal facility for approval.
3. Determine any Maintenance of Traffic (MOT) concerns and develop a MOT plan.
4. Obtain a baseline elevation survey of the known buried solid waste areas.
5. Contact Sunshine State One Call of Florida to request utility locates. Review as built drawings supplied by the Department to identify onsite utilities and conflicts with the project.
6. Attend the pre-construction meeting to coordinate solid waste removal and backfilling activities with Turner Construction (Turner).
7. Mobilize equipment, materials, and personnel to the project site and setup the initial MOT.
8. Provide daily updates to the Department via electronic mail.

Phased Excavation of Buried Solid Waste and Backfilling of Excavations

As requested by the Department the intent of the approach outlined below is for the expedient removal of solid waste, backfilling and compaction and return of the property to Turner for construction activities while maximizing efforts for environmental regulatory closure and performing the work safely.

In each phase outlined below the following general assumptions are made:

1. The excavation would remain open as long as possible prior to backfilling to allow residual methane and ammonia to aerate, with approval from Turner and in accordance with the MOT;
2. Prior to backfilling each Area after solid waste has been removed the bottom elevation would be surveyed;
3. Upon completion of the survey, the Areas would be backfilled to grade with FDOT approved limerock or other alternative materials approved by the CEI

Overburden would be removed and placed in a staging area for subsequent testing at a later date. During Phase I, the overburden staging area would initially be assigned to Area 4 after test pits have been dug under the staging area. (See Figure 2).

After the overburden is removed, the elevation to the top of waste would be surveyed.

- Excavated solid waste above the water table may be direct-loaded into dump trucks for transport off-site or temporarily sent to a poly-lined staging area. During Phase I, the solid waste staging area would be assigned to Area 3 after test pits have been dug under the staging area. (See Figure 2).
 - Excavated solid waste below the water table would be removed allowing residual water to drain from the bucket as it is excavated. The material would be placed on poly sheeting to drain residual water prior to disposal.
4. Concurrently, Shaw would excavate test pits in Area 3 and Area 4 so any additional unknown buried solid waste areas can be determined during the Phase I Excavation Plan. Shaw would notify the Department of any unanticipated buried solid waste areas, and work with the Department to seamlessly remove this unanticipated buried solid waste in conjunction with the Prime Contractor's production schedule. The test pits in Areas 3 and 4 would be backfilled with the material removed from the test pits.

If solid waste is found in Area 3 and 4, these areas would be excavated last. This allows for the solid waste to be staged (Area 3) within the foot print of the original contaminated area, eliminates the risk of cross contamination if stockpiled off site, and increases the production rate of excavating and loading of the material.

If solid waste is found in Area 4, North End it would be excavated in Phase I along with the northern stretch of Area 2. This allows for the solid waste to be removed from this area all in one effort allowing Turner back into the area earlier for continued construction activities.

Phase II Solid Waste Removal Activities Continue Area 2 and start Area 1

1. During the Phase II Excavation Plan, Shaw would continue to excavate Area 2 and concurrently start the excavation of Area 1 (see Figure 3).

1. Shaw would mobilize to the site to install vapor testing wells and shallow monitoring wells across the areas excavated as part of this scope of work. Based on the anticipated waste to be excavated, Shaw plans on installing four groundwater monitoring wells and four vapor test wells. One of the each of the wells would be installed in Area 1, and the other wells would be installed in Area 2. The number of wells and well locations can be adjusted after reviewing drainage plans, other pertinent items, and if solid waste is encountered in Area 3 and 4.
2. The groundwater monitoring wells and the vapor monitoring wells would be installed using standard methodology, and the groundwater monitoring wells would be developed the same day as installation. The groundwater monitoring wells would be sampled at least two days after installation using the Florida Department of Environmental Protection's Standard Operating Procedures. The groundwater samples would be submitted to a State-certified laboratory for analysis of the contaminants of interest including antimony, ammonia, iron, arsenic, barium, cadmium, chromium, lead, mercury, selenium, silver, beryllium, cobalt, copper, nickel, thallium, vanadium, zinc, chlorides, nitrate, sodium, total dissolved solids, volatile organic compounds, semi-volatile organic compounds, and total recoverable petroleum hydrocarbons. The vapor monitoring wellheads would be fitted with specially-designed vapor monitoring caps and allowed to equilibrate for at least 3 days.
3. After the equilibration period, the vapor monitoring wells would be analyzed with a Landtec Methane Gas Analyzer (MGA). The vapor monitoring wells would be allowed to collect methane gas another 30 days, and the wells would be analyzed again for the presence of landfill gas.
4. After the groundwater analytical results are received from the laboratory, they would be tabulated and compared against, Chapter 62-777 FAC Groundwater Cleanup Target Levels (GCTLs). Any contaminants found exceeding GCTLs would be mapped to determine if a contaminants pattern exists. Groundwater samples which exceed GCTLs would be recollected to confirm previous sampling results and contaminant trends. In addition, the methane levels recorded from the

WSI is a multi-regional, integrated solid waste service company for commercial, industrial and residential customers.

Shaw requests to add Ambient Technologies, Inc. (ATI) as an approved subcontractor under BDL-07 for PLS. ATI was established in 1993 and is headquartered in St. Petersburg, Florida. ATI is a licensed land surveyor.

Schedule

1. The work would commence upon authorization to proceed from the Department.
2. Within 1 day of approval by the Department, Shaw would mobilize to the site, mark out the work area, and request utility locates.
3. Solid waste removal activities would be completed within 30 days. The excavation activities would be performed in two shifts (day 10 hr/ night 10 hr) as needed. The backfilling activities would be done only during the day shift. A gant chart has been attached for your reference for the solid waste activities and ~~a gant chart that includes the methane monitoring timeline that DERM will~~ required for closure.
4. The groundwater samples would be analyzed at a standard turnaround time of 5 days.
5. Field Dailies with supporting documentation would be submitted to the Department for review within 30 days of completion of field activities.

Costs

Shaw is prepared to provide the specified services pursuant to the terms and conditions of contract number BDL-07, under Letter of Authorization to be determined to be billed on a Unit Rate as presented in the Table below. Pending review of proctors and acceptance by the CEI of alternate materials, these have been included as unit rates for the use of the Department for comparison on potentially significant cost savings.

Mr. Mauricio A. Gomez
February 1, 2011
Page 11

All pricing will be in accordance with the contract rates as detailed in the attached cost estimate and contract BDL-07 under Letter of Authorization to be determined. The activities to be performed in association with this task are included in the scope of services defined in the contract BDL-07.

Sincerely,
Shaw Environmental, Inc.



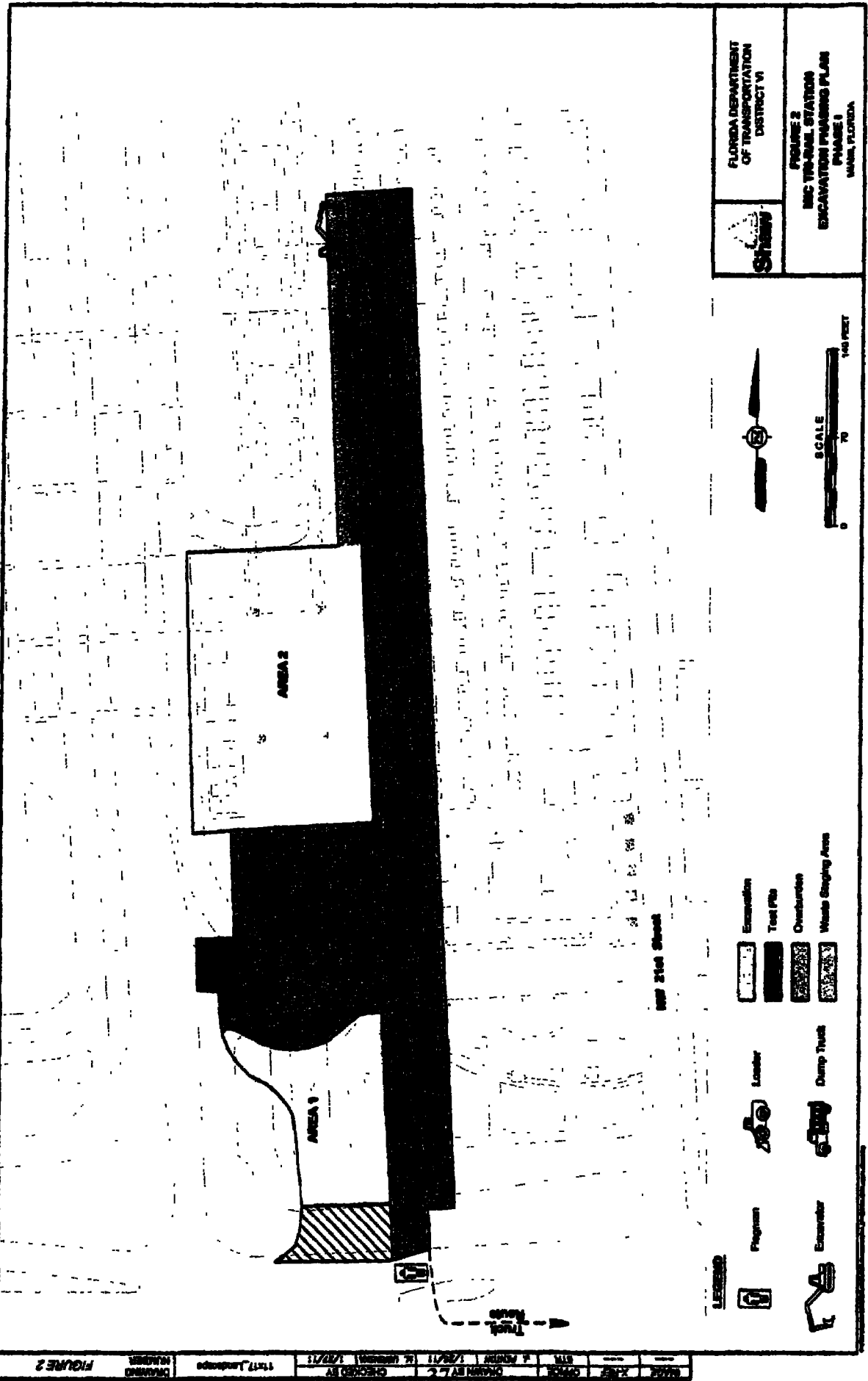
Neil Campbell
Contract Manager

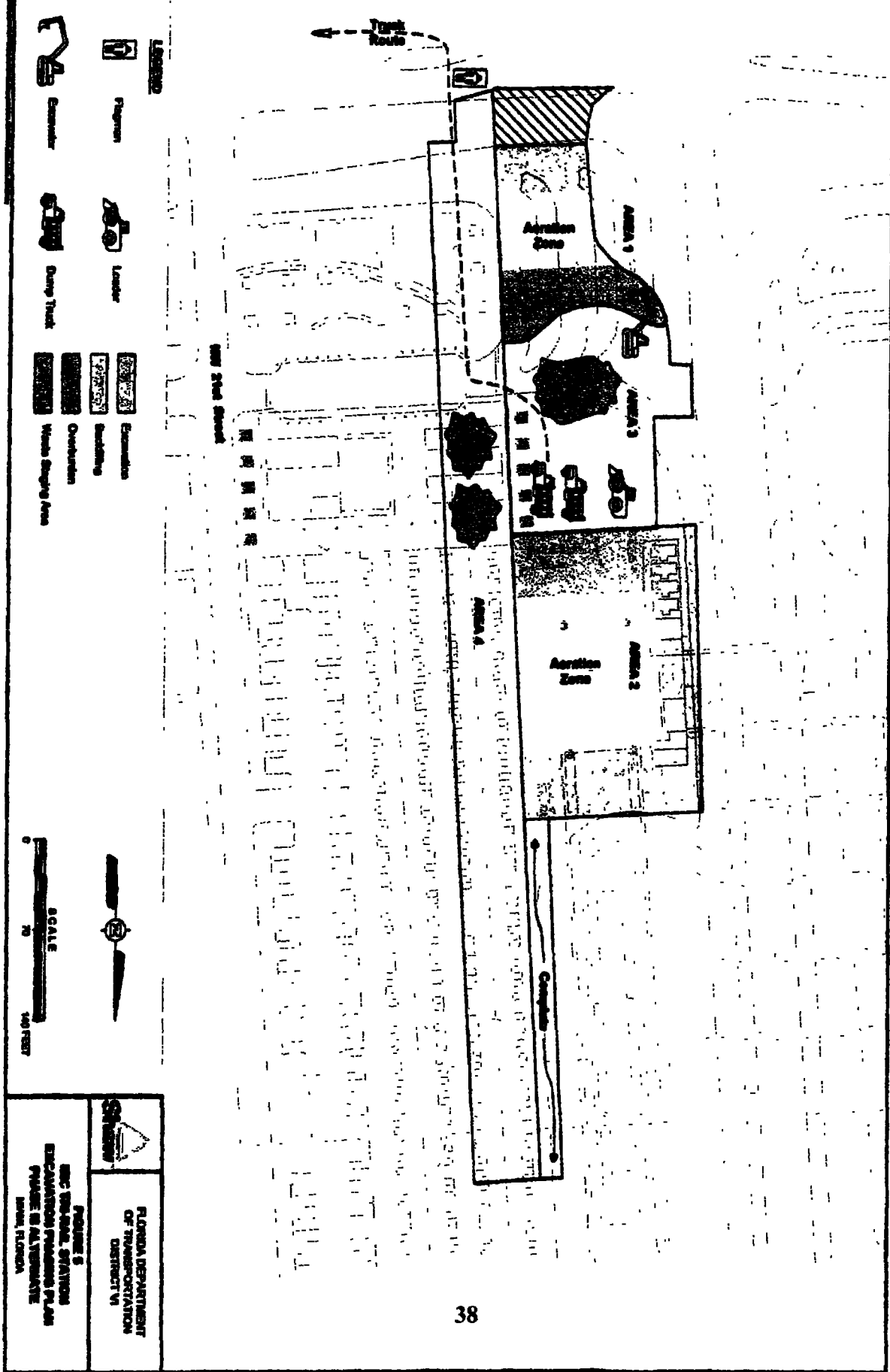
Accepted
Florida Department of Transportation
Mauricio A. Gomez

Approved

Date

Attachments: Cost Estimate
Figures





MMC Tr-Rail Proposed Construction & Sampling Schedule

ID	Task Name	Duration	Start	Finish	Predecessors	Calendar
1	Pre-Construction	8 days	Tue 3/16/11	Thu 3/18/11		February 1/23 1/30 2/6 2/13 2/20 2/27 3/6 3/13 3/20 3/27 4/3 4/10 4/17 4/24 5/1 5/8 5/15 5/22 5/29
2	Project Award	0 days	Tue 3/1/11	Tue 3/1/11		
3	MOT Plan	0 days	Thu 3/24/11	Thu 3/24/11 2FS+3 days		
4	Waste Profile Approval	0 days	Thu 3/24/11	Thu 3/24/11 2SS+3 days		
5	Health and Safety Plan Submitted	0 days	Wed 3/23/11	Wed 3/23/11 6SS-5 days		
6	Pre-Con Meeting	0 days	Mon 3/27/11	Mon 3/27/11 2		
7	Utility Clearance	2 days	Mon 3/27/11	Tue 3/28/11 6		
8	Site Survey	1 day	Mon 3/27/11	Mon 3/27/11 7SS		
9	Mobilization & MOT Setup	2 days	Wed 3/23/11	Thu 3/10/11 8,6,7,4		
10	Construction	26 days	Fri 3/18/11	Fri 4/15/11		
11	Test Pits	3 days	Fri 3/11/11	Tue 3/15/11 9		
12	Excavation	15 days	Fri 3/11/11	Thu 3/31/11 9		
13	Post Excavation Survey - 1	0 days	Tue 3/15/11	Tue 3/15/11 8SS+6 days		
14	Post Excavation Survey - 2	0 days	Tue 3/22/11	Tue 3/22/11 13SS+5 days		
15	Post Excavation Survey - 3	0 days	Thu 3/31/11	Thu 3/31/11 12		
16	Aeration	3.5 wks	Fri 3/11/11	Tue 4/5/11 12SS		
17	Backfilling	15 days	Fri 3/18/11	Thu 4/7/11 16SS+1 wk, 13		
18	Post Backfill Survey	0 days	Fri 4/8/11	Fri 4/8/11 17FS+1 day		
19	As Built Surveys Submitted To FDOT	0 days	Fri 4/15/11	Fri 4/15/11 18FS+1 wk		
20	Post Remediation Monitoring	49 days	Fri 4/8/11	Thu 6/2/11		
21	Install Wells	1 day	Fri 4/8/11	Fri 4/8/11 17		
22	Sample Wells	1 day	Wed 4/13/11	Wed 4/13/11 21FS+2 days		
23	Sample Methane - 1	1 day	Wed 4/20/11	Wed 4/20/11 22FS+4 days		
24	Sample Methane - 2	1 day	Thu 6/2/11	Thu 6/2/11 23FS+30 days		



Project: Tr-Rail Gent Chart - Const & Sampling
Date: Thu 1/27/11

Task

Spk

Progress

Milestones

Summary

Project Summary

External Tasks

External Milestones

Deadline



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Jacksonville, FL 32202
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Jo Ann Burroughs
Manager Network Services

July 28, 2011

U.S. Fish & Wildlife Service
Southeast Region
701 San Marco Blvd, Suite 7 West
Jacksonville, 32207-8196

Dear Sir/Madam:

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This action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7(c) require that advance notice be given to afford your agency a reasonable opportunity to provide meaningful input.

- (i) Based on consultation with the U. S. Fish and Wildlife Service state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects.**
- (ii) State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.**

The removal of CSXT's rail material will be accomplished by use of the right of way for access, along with existing public and private crossings, and no new access roads are contemplated. CSXT does not intend to disturb any of the underlying roadbeds and do not anticipate any dredging or use of fill in the removal of the track material. The crossties and/or other debris will be transported away from the rail line and will not be discarded along the right of way, nor be placed or left in streams or wetlands, or along the banks of such waterways. During track removal, appropriate measures will be implemented to prevent or control spills from fuels, lubricants or any other materials from entering any watercourses.

Based upon the above described actions, CSXT would appreciate your concurrence in its position that there would be no adverse impact to any federally-listed endangered or



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Jacksonville, FL 32203
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Manager Network Services

threatened species, critical habitats, wildlife sanctuaries or refuges, National or State parks, or forests.

As further information, CSXT will provide a preliminary environmental report in the coming weeks which will outline the scope of the proposed salvage activity (as stated above) and include any comments received from your office. This environmental report can be sent electronically by email or through the United States Postal Service (USPS). Please notify me, Jo_Burroughs@csx.com if you wish to receive the report electronically. If we do not receive notification, it will be mailed via USPS.

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Sincerely,

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Jo Ann Burroughs
Attachments

Attachment 9



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Jo Ann Burroughs
Manager Network Services

July 28, 2011

Natural Park Service
Southeast Regional Office
75 Spring Street SW, Suite 1130
Atlanta GA 30303

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3900 Commonwealth Blvd M.S. 47
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Jo Ann Burroughs
Manager Network Services

July 28, 2011

U.S. Corps of Engineers
Mobile District
Public Affairs Office
109 St. Joseph St.
Mobile, AL 36602-3630

Dear Sir/Madam:

Please be advised that CSX Transportation, Inc. (CSXT) is considering to file with the Surface Transportation Board (STB) a Notice of Exemption seeking authority to abandon a portion of its rail line from railroad Milepost SX 1036.8 to the end of track at approximate Milepost SX 1037.5, including approximately 1,300 feet of connection track beginning 150 feet from the point of switch near Milepost SXH 37.0, a total distance of approximately 0.95 mile in Miami, Miami-Dade County, Florida. A map of the area is attached for your review.

"Based on consultation with the U. S. Army Corps of Engineers, state whether permits under Section 404 of the Clean Water Act (33 U.S.C. 1344) are required for the proposed action and whether any designated wetlands or 100 year flood plains will be affected. Describe the effects."

It is CSXT's opinion that there will be no impact on designated wetlands or 100-year flood plains because our intent at this time is to only remove CSXT's metal track material, crossties and perhaps the upper layer of ballast, and to preserve the existing routes of water flow and drainage. CSXT does not intend to disturb any of the underlying roadbeds or perform any activities that would cause sedimentation or erosion of the soil, and CSXT does not anticipate any dredging or use of fill in the removal of the track material. The track removal will be accomplished by use of the right of way for access, along with existing public and private crossings, and no new access roads are contemplated. The crossties and/or other debris will be transported away from the rail line and will not be discarded along the right of way, nor be placed or left in streams or wetlands, or along the banks of such waterways.

Based upon the above described actions, CSXT would appreciate your concurrence in its position that there would be no adverse impact on wetlands or 100-year flood plains, and that no permits under Section 404 will be required.



500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 279-3823
FAX: (904) 279-3902
E-Mail: Jo_Burroughs@csx.com

Jo Ann Burroughs
Manager Network Services

As further information, CSXT will provide a preliminary environmental report in the coming weeks which will outline the scope of the proposed salvage activity (as stated above) and include any comments received from your office. This environmental report can be sent electronically by email or through the United States Postal Service (USPS). Please notify me, Jo_Burroughs@csx.com if you wish to receive the report electronically. If we do not receive notification, it will be mailed via USPS.

Further enclosed, please find a distribution list of all parties that have been copied of the proposed action.

Sincerely,

A handwritten signature in black ink, appearing to read "Jo Ann Burroughs", is written over a horizontal line.

Jo Ann Burroughs
Attachment



Attachment 12

500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 279-3823
FAX: (904) 279-3802
E-Mail: Jo_Burroughs@csx.com

Jo Ann Burroughs
Manager Network Services

July 28, 2011

U.S. EPA
Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW
Atlanta GA 30303

Dear Sir/Madam:

Please be advised that CSX Transportation, Inc. (CSXT) is considering to file with the Surface Transportation Board (STB) a Notice of Exemption seeking authority to abandon a portion of its rail line from railroad Milepost SX 1036.8 to the end of track at approximate Milepost SX 1037.5, including approximately 1,300 feet of connection track beginning 150 feet from the point of switch near Milepost SXH 37.0, a total distance of approximately 0.95 mile in Miami, Miami-Dade County, Florida. A map of the area is attached for your review.

- (i) "Based on consultation with State Water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies."
- (iii) State whether permits under Section 402 of the Clean Water Act 33 U.S.C. 1342 are required for the proposed action."

There are no refueling or maintenance areas within the project area. The removal of CSXT's rail material will be accomplished by use of the right of way for access, along with existing public and private crossings, and no new access roads are contemplated. CSXT does not intend to disturb any of the underlying roadbeds and do not anticipate any dredging or use of fill in the removal of the track material. The cross-ties and/or other debris will be transported away from the rail line and will not be discarded along the right of way, nor be placed or left in streams or wetlands, or along the banks of such waterways. During track removal, appropriate measures will be implemented to prevent or control spills from fuels, lubricants or any other pollutant materials from entering any watercourses.



500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 279-3823
FAX: (904) 279-3902
E-Mail: Jo_Burroughs@csx.com

Jo Ann Burroughs
Manager Network Services

Based upon the above described actions, CSXT would appreciate receiving your concurrence with its position that the proposed project is consistent with applicable Federal, State and local water quality standards, and that no permits under Section 402 are required at this time.

As further information, CSXT will provide a preliminary environmental report in the coming weeks which will outline the scope of the proposed salvage activity (as stated above) and include any comments received from your office. This environmental report can be sent electronically by email or through the United States Postal Service (USPS). Please notify me, Jo_Burroughs@csx.com if you wish to receive the report electronically. If we do not receive notification, it will be mailed via USPS.

Further enclosed, please find a distribution list of all parties that have been copied of the proposed action.

Sincerely,

A handwritten signature in black ink, appearing to read "Jo Ann Burroughs", is written over a horizontal line.

Jo Ann Burroughs
Attachment

From: Milligan, Lauren [Lauren.Milligan@dep.state.fl.us]
Sent: Thursday, August 04, 2011 10:23 AM
To: Burroughs, Joann
Subject: CSXT - Proposed Tri-Rail Line Abandonment in Miami-Dade County, Florida - State Clearinghouse Clearance
Mrs. Jo Ann Burroughs
Manager, Network Services
CSX Transportation, Inc.
500 Water Street - J200
Jacksonville, FL 32202

RE: Surface Transportation Board – CSX Transportation, Inc. – Docket No. AB-55 (Sub No. 717X)
Proposed Abandonment of Milepost SX 1036.8 to SX 1037.5 Tri-Rail Line – Miami, Miami-Dade County, Florida.
SAI # FL201108045908C

Dear Mrs. Burroughs:

Florida State Clearinghouse staff has received and reviewed CSXT's proposal under the following authorities: Section 403.061(42), *Florida Statutes*; the Coastal Zone Management Act, 16 U.S.C. §§ 1451-1464, as amended; and the National Environmental Policy Act, 42 U.S.C. §§ 4321-4347, as amended.

Based on the information contained in the submittal and minimal project impacts, the state has no objections and has determined that the proposed activity is consistent with the Florida Coastal Management Program.

If you have any questions regarding this message or the state intergovernmental review process, please don't hesitate to contact me at (850) 245-2170 or Lauren.Milligan@dep.state.fl.us. Thank you.

Yours sincerely,

Lauren P. Milligan

Lauren P. Milligan, Environmental Manager
Florida State Clearinghouse
Florida Department of Environmental Protection
3900 Commonwealth Blvd, M.S. 47
Tallahassee, FL 32399-3000
ph. (850) 245-2170
fax (850) 245-2190

The Department of Environmental Protection values your feedback as a customer. DEP Secretary Herschel T. Vinyard Jr. is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link to the DEP Customer Survey](#). Thank you in advance for completing the survey.

ENVIRONMENTAL REPORT CERTIFICATE OF SERVICE

Pursuant to the requirements of 49 C.F.R. § 1105.7, the undersigned hereby certifies that a copy of the Environmental Report in Docket No. AB-55 (Sub-No. 717X) was mailed via first class mail on August 2, 2011 to the following parties:

Florida Department of Environmental Protection
Clearing House Office
3900 Commonwealth Blvd. M.S. 47
Tallahassee, FL 32399-3000

Fred Wise, Manager
Rail Office
Florida Department of Transportation
605 Suwannee Street, MS-25
Tallahassee, FL 32399-0450

Mayor Carlos A. Gimenez
Miami-Dade County Office of the Mayor
Stephen P. Clark Center
111 NW 1st Street
Miami, FL 33128

Miami-Dade County Planning & Zoning
Stephen P. Clark Center
111 NW 1st Street, 11 Floor
Miami, FL 33128

City of Miami Planning Department
444 S.W. 2nd Avenue, 3rd Floor
Miami, FL 33130

U.S. Department of Agriculture
Natural Resources Conservation Service
Att. Ms. Christine Coffin
1450 N. Drome Ave STE 102
Florida City, FL 33034-2400

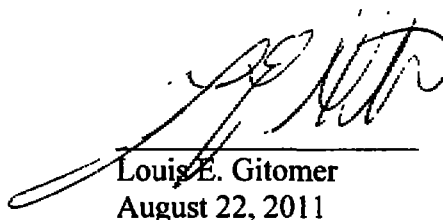
U.S. Fish & Wildlife Service
Southeast Region
701 San Marco Blvd, Suite 7 West
Jacksonville, FL 32207-8196

U.S. EPA
Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303

National Park Service
Miami Office
18001 Old Cutler Road, Suite 419
Palmetto, FL 33157

U.S. Corps of Engineers
1400 Centre Park Blvd.
West Palm Beach, FL 33401

National Geodetic Survey
Simon.Monroe@noaa.gov



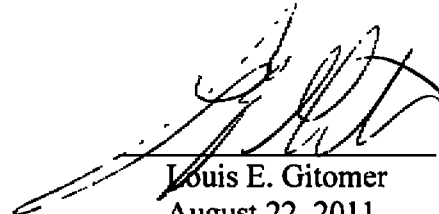
Louis E. Gitomer
August 22, 2011

EXHIBIT E– HISTORIC REPORT

HISTORIC REPORT CERTIFICATE OF SERVICE

Pursuant to the requirements of 49 C.F.R. § 1105.8(c), the undersigned hereby certifies that a copy of the Historic Report in Docket No. AB-55 (Sub-No. 717X) was mailed via first class mail on August 2, 2011, to the following parties:

Ms. Laura Kammerer
Florida Division of Historical Resources
R.A. Gray Building
500 S. Bronough Street
Tallahassee, FL 32399-0250



Louis E. Gitomer
August 22, 2011

HISTORIC REPORT

**CSX TRANSPORTATION, INC.
Miami, Miami-Dade County, Florida
Docket AB-55 (Sub-No. 717X)**

1105.7(e)(1)

PROPOSED ACTION AND ALTERNATIVES. Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable detailed map and drawings clearly delineating the project.

CSX Transportation, Inc. (CSXT) proposes to abandon its freight easement from Railroad Milepost SX 1036.8 to the end of track at approximate Railroad Milepost SX 1037.5, including approximately 1,300 feet of connection track beginning 150 feet from the point of switch near Railroad Milepost SXH 37.0, a total distance of approximately 0.95 miles in Miami, Miami-Dade County, Florida.

The above referenced 0.95 mile line has not generated any originating or terminating freight traffic in over two (2) years.

The purpose for the proposed abandonment is to permit CSXT to avoid the maintenance and rehabilitation expenses on the line. CSXT has an Operating and Management Agreement (OMAPA) with the Florida Department of Transportation (FDOT) for their commuter rail service (Tri-Rail). Tri-Rail is improving their commuter rail system, and CSXT desires relief of its obligations to maintain and dispatch this passenger-only segment. Tri-Rail construction plans will not interfere with freight service inasmuch as CSXT has not served any freight customers on this segment for many years. This proposed abandonment will allow CSXT to amend OMAPA to discontinue maintenance and dispatching of this portion of Tri-Rail.

A map which delineates the proposed project is attached. (See Attachment 1)

1105.8(d)

- (1) **A U.S.G.S. topographic map (or an alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the locations and approximate dimensions of railroad structures that are 50 years old or older and are part of the proposed action.**

Attached are copies of the quadrangle topographic map prepared by the U. S. Department of Interior Geological Survey. The line to be abandoned has been identified by a heavy red line with black dashes. (See Attachment 2)

The proposed action includes no CSXT-owned structures that are 50 years old or older that may be eligible for listing in the National Register.

- (2) **A written description of the right of way (including approximate widths, to the extent known), and the topography and urban and/or rural characteristic of the surrounding area:**

The freight right of way width along this right of way is approximately 11 to 57 feet from the center line of the track. This urban area is part of the Miami Intermodal Center (MIC) Program. The MIC will serve as the Tri-Rail, Metro-Rail, Amtrak, bicycle and pedestrian Ground Transportation Center.

- (3) **Good quality photographs (actual photographic prints, not photocopies) of railroad structures on the property that are 50 years old or older and of the immediately surrounding area:**

Not applicable

- (4) **The date(s) of construction of the structure(s), and the date(s) and extent of any major alterations, to the extent such information is known:**

Not applicable

(5) A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action:

This line was constructed in 1926 by the Seaboard-All Florida Railway and operated by the Seaboard Air Line Railway Company (1915). On August 1, 1946, pursuant to a plan of reorganization, all the properties of Seaboard Air Line Railway Company were transferred to Seaboard Air Line Railroad Company. On December 17, 1945 all properties of the Seaboard-All Florida Railway were acquired by the Seaboard Air Line Railroad Company. In 1967, the Seaboard Air Line Railroad Company and the Atlantic Coast Line Railroad Company merged to form the Seaboard Coast Line Railroad Company. In 1972, the Family Lines was adopted to identify the Louisville and Nashville Railroad Company and the Seaboard Coast Line Railroad Company.

On November 1, 1980, Seaboard Coast Line Industries Inc. and Chessie System Inc. merged and became CSX Corporation. On April 30, 1987, the Baltimore & Ohio Railroad Company was merged into the Chesapeake and Ohio Railway Company. The Chesapeake and Ohio Railway Company was merged into CSX Transportation on September 2, 1987.

This rail line was sold in 1988 to the Florida Department of Transportation with CSXT retaining a freight easement. The Miami Intermodal Center (MIC) is currently under construction to provide access to multiple forms of transportation including Tri-Rail and Metrorail.

Upon receiving abandonment authority of the freight easement, Applicant's operations and maintenance over this line will cease.

(6) A brief summary of documents in the carrier's possession, such as engineering drawings, that might be useful in documenting a structure that is found to be historic:

Not applicable.

(7) An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 C.F.R. 60.4), and whether there is a likelihood of archeological resources or any other

previously unknown historic properties in the project area, and the basis for these opinions (including any consultations with the State Historic Preservation Office, local historical societies or universities):

A review of our records indicates there are no CSXT-owned structures over 50 years old on this line segment that may be eligible for listing in the National Register.

We do not know of any archeological resources or any other previously unknown historic properties in the project area.

- (8) A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or man-made) that might affect the archeological recovery of resources (such as swampy conditions or the presence of toxic wastes), and the surrounding terrain.**

The line was disturbed during construction by cuts and fill and any archeological resources that may have been located in the proposed project area would have been affected at that time versus during the proposed salvage operations associated with rail removal. Our records do not indicate that any swampy conditions exist. or that any hazardous material spills have occurred within the project area.

Attachment 1

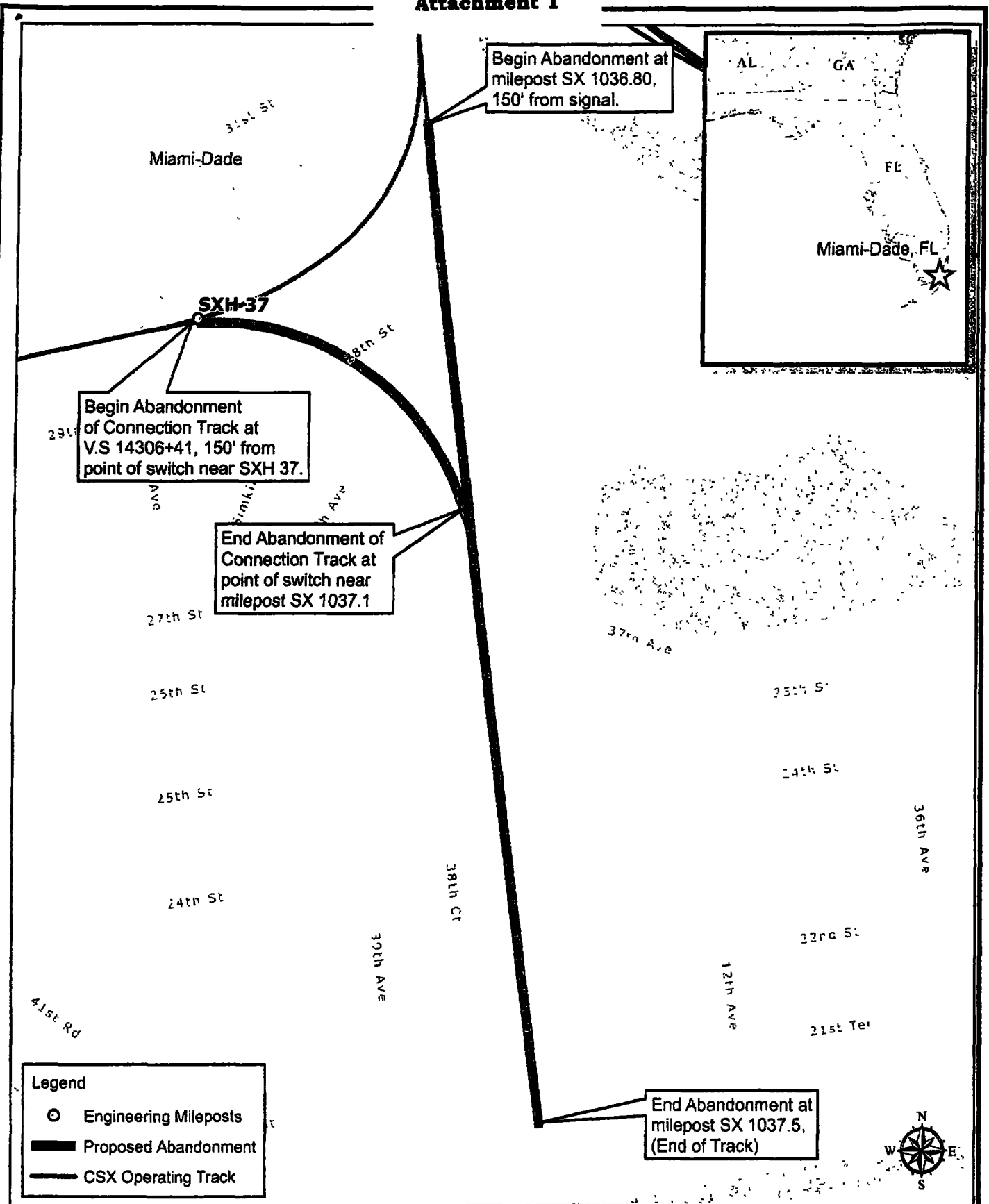
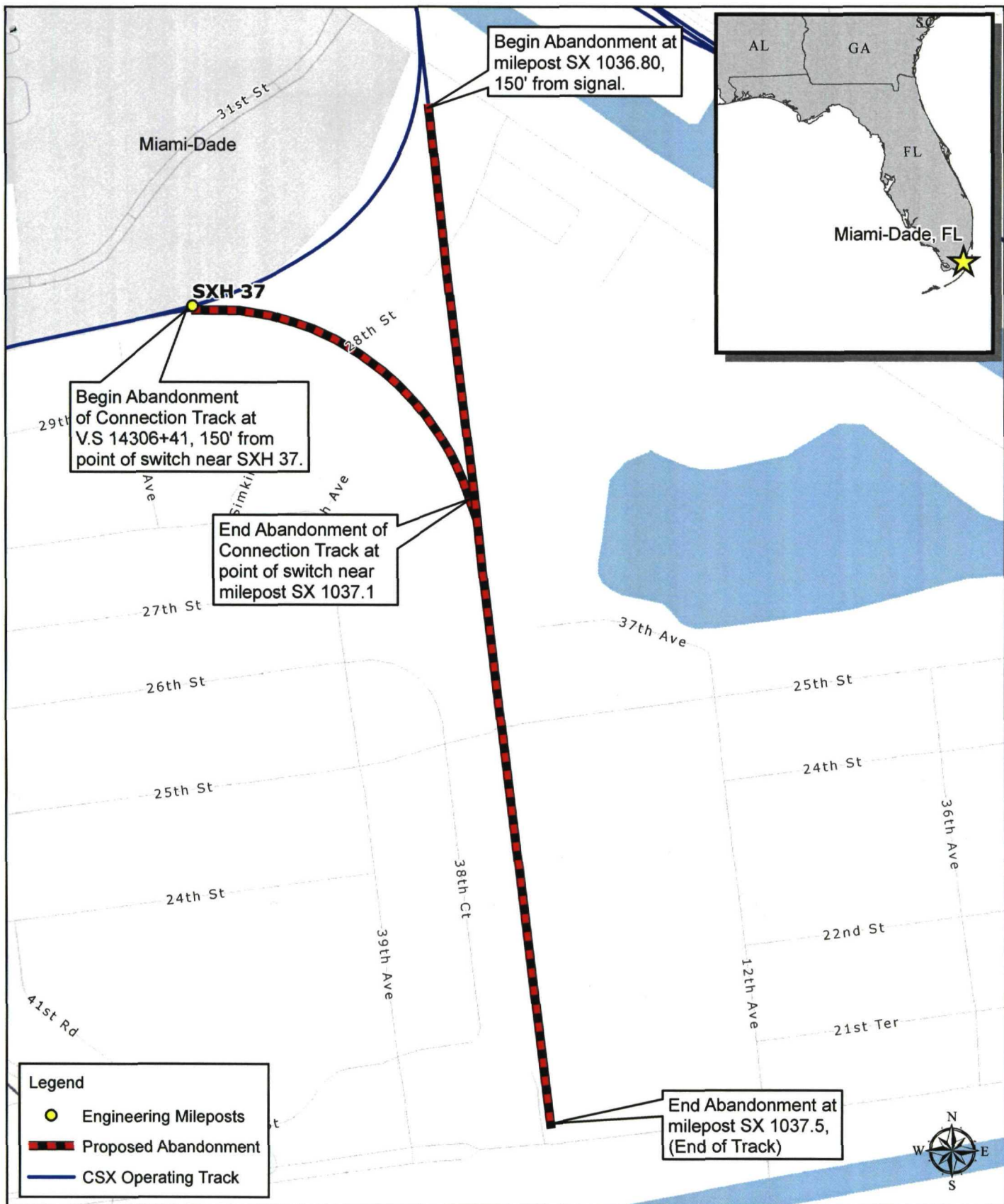
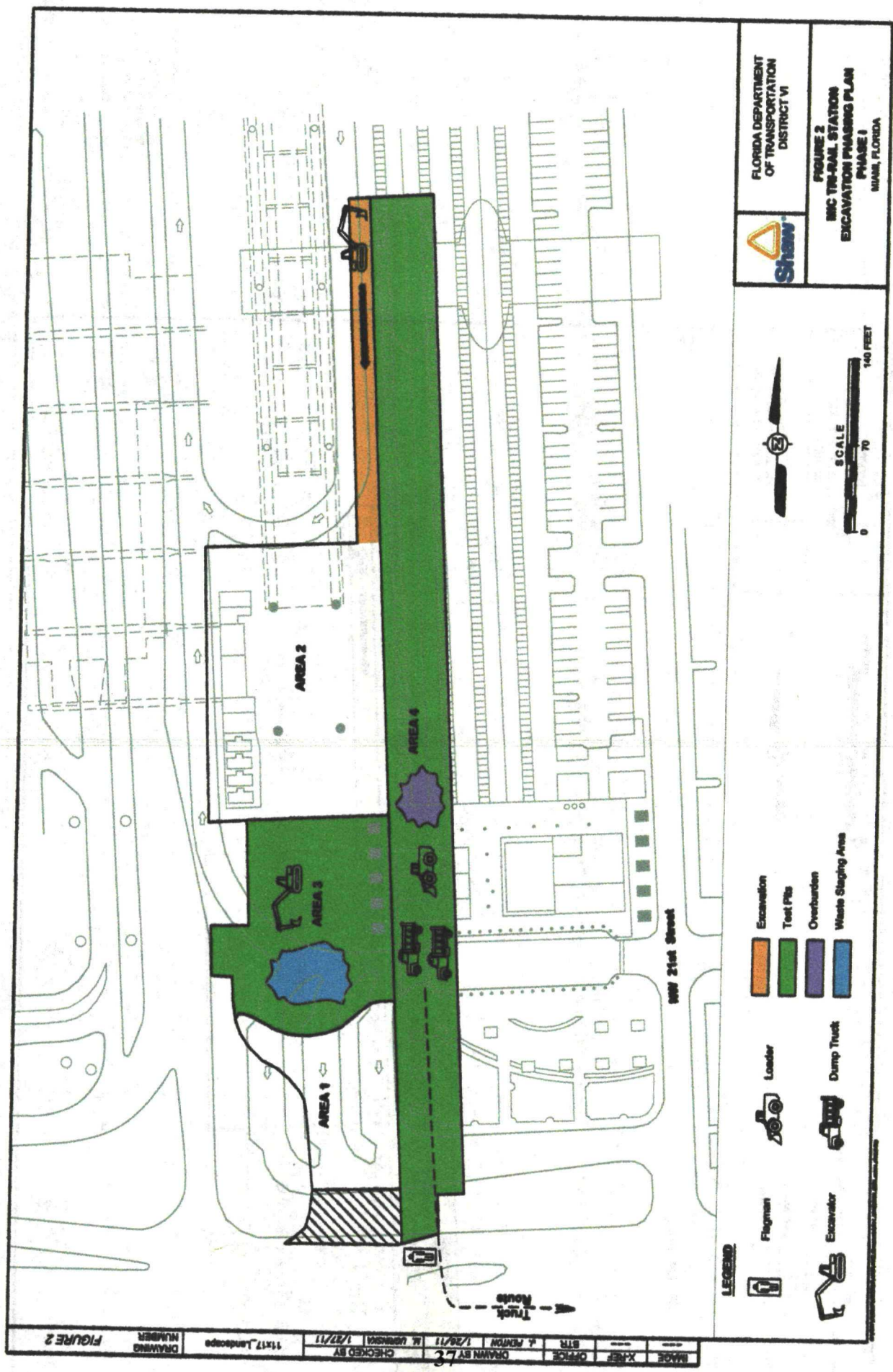


EXHIBIT F—COLOR EXHIBITS





FLORIDA DEPARTMENT
OF TRANSPORTATION
DISTRICT VI



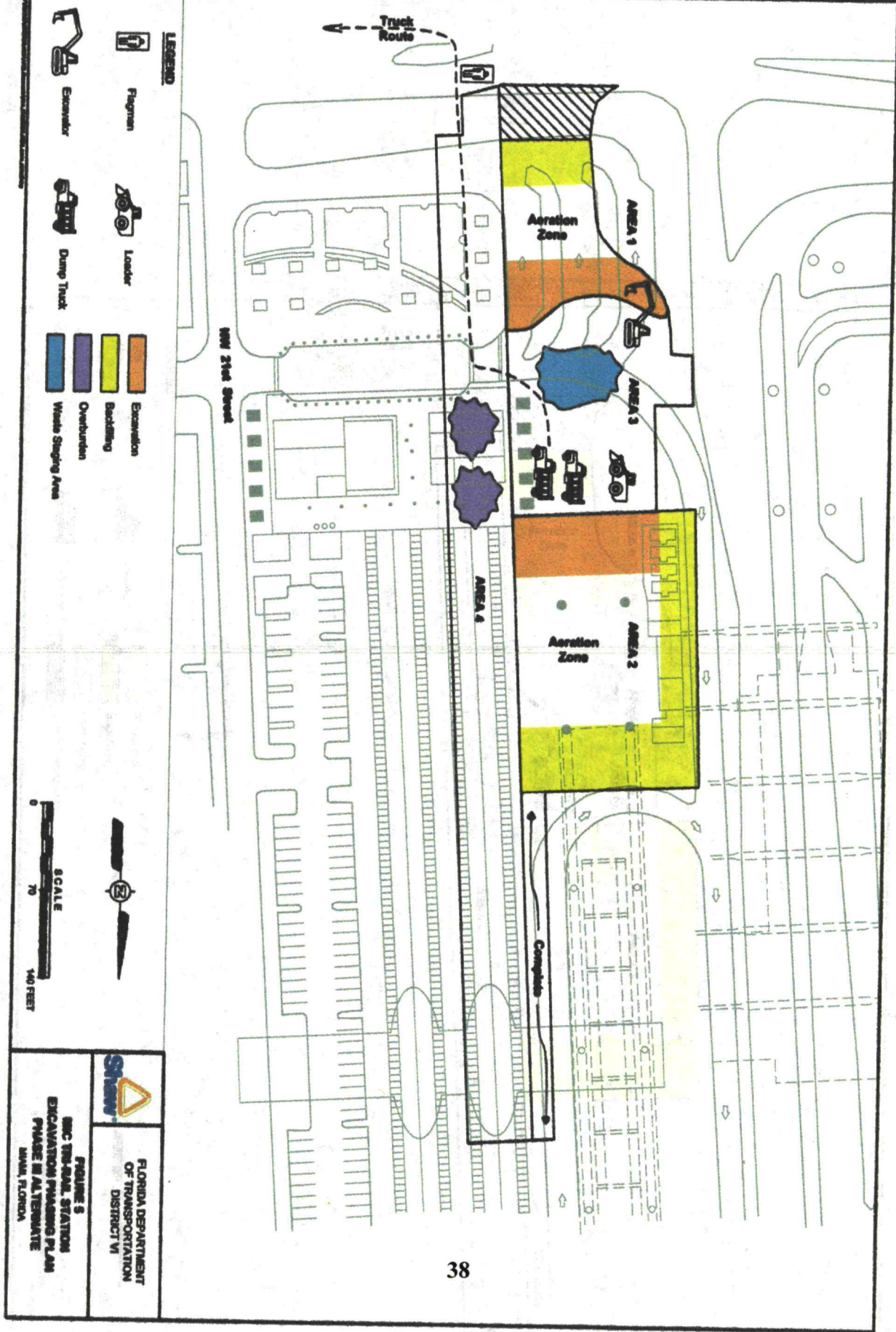
FIGURE 2
HBC TRI-RAIL STATION
EXCAVATION PHASING PLAN
PHASE I
MIAMI, FLORIDA

LEGEND

- Excavation
- Test Pits
- Overburden
- Waste Staging Area
- Flagman
- Loader
- Excavator
- Dump Truck

IMAGE	X-REF	OFFICE	DATE	CHECKED BY	DATE	11x17 Landscape	DRAWING NUMBER	FIGURE 2
		OFFICE	11/26/11	11/27/11				
		DATE	11/26/11	11/27/11				
		DATE	11/26/11	11/27/11				

IMAGE	X-REF	OFFICE	DRAWN BY	CHECKED BY	11x17_Landscape	DRAWING NUMBER	FIGURE 6
		BTR	J. ADTON 1/26/11	M. LORENZO 1/27/11			



MIC Tr-Rail Proposed Construction & Sampling Schedule

ID	Task Name	Duration	Start	Finish	Predecessors	February	March	April	May	June
1	Pre-Construction	8 days	Tue 3/1/11	Thu 3/10/11		1/23/11	2/6/11	2/20/11	2/27/11	3/6/11
2	Project Award	0 days	Tue 3/1/11	Tue 3/1/11		3/13/11	3/20/11	3/27/11	4/3/11	4/10/11
3	MOT Plan	0 days	Thu 3/3/11	Thu 3/3/11	2FS+3 days		3/3	3/3	3/3	3/3
4	Waste Profile Approval	0 days	Thu 3/3/11	Thu 3/3/11	2SS+3 days		3/3	3/3	3/3	3/3
5	Health and Safety Plan Submitted	0 days	Wed 3/2/11	Wed 3/2/11	9SS+5 days		3/7	3/7	3/7	3/7
6	Pre-Con Meeting	0 days	Mon 3/7/11	Mon 3/7/11	2		3/7	3/7	3/7	3/7
7	Utility Clearance	2 days	Mon 3/7/11	Tue 3/8/11	6		3/7	3/7	3/7	3/7
8	Site Survey	1 day	Mon 3/7/11	Mon 3/7/11	7SS		3/7	3/7	3/7	3/7
9	Mobilization & MOT Setup	2 days	Wed 3/9/11	Thu 3/10/11	8,6,7,4		3/7	3/7	3/7	3/7
10	Construction	26 days	Fri 3/11/11	Fri 4/15/11			3/15	3/22	3/31	4/8
11	Test Pits	3 days	Fri 3/11/11	Tue 3/15/11	9		3/15	3/22	3/31	4/8
12	Excavation	15 days	Fri 3/11/11	Thu 3/31/11	9		3/15	3/22	3/31	4/8
13	Post Excavation Survey - 1	0 days	Tue 3/15/11	Tue 3/15/11	9SS+5 days		3/15	3/22	3/31	4/8
14	Post Excavation Survey - 2	0 days	Tue 3/22/11	Tue 3/22/11	13SS+5 days		3/15	3/22	3/31	4/8
15	Post Excavation Survey - 3	0 days	Thu 3/31/11	Thu 3/31/11	12		3/15	3/22	3/31	4/8
16	Aeration	3.5 wks	Fri 3/11/11	Tue 4/5/11	12SS		3/15	3/22	3/31	4/8
17	Backfilling	15 days	Fri 3/18/11	Thu 4/7/11	16SS+1 wk, 13		3/15	3/22	3/31	4/8
18	Post Backfill Survey	0 days	Fri 4/8/11	Fri 4/8/11	17FS+1 day		3/15	3/22	3/31	4/8
19	As Built Surveys Submitted To FDOT	0 days	Fri 4/15/11	Fri 4/15/11	18FS+1 wk		3/15	3/22	3/31	4/8
20	Post Remediation Monitoring	40 days	Fri 4/8/11	Thu 6/2/11			3/15	3/22	3/31	4/8
21	Install Wells	1 day	Fri 4/8/11	Fri 4/8/11	17		3/15	3/22	3/31	4/8
22	Sample Wells	1 day	Wed 4/13/11	Wed 4/13/11	21FS+2 days		3/15	3/22	3/31	4/8
23	Sample Methane - 1	1 day	Wed 4/20/11	Wed 4/20/11	22FS+4 days		3/15	3/22	3/31	4/8
24	Sample Methane - 2	1 day	Thu 6/2/11	Thu 6/2/11	23FS+30 days		3/15	3/22	3/31	4/8

Project Tr-Rail Cant Chart - Const & Sampling
Date: Thu 1/27/11

